

Suits – LA – Telugu Ganga Project, Nandyal Unit – Velugodu(V) and (M), Kurnool District – OP Nos. 617/99 & 592/99 - Sanction of final decretal charges of Rs.3,87,897/- – Orders – Issued.

IRRIGATION&CAD(PW.LA.II)DEPARTMENT

Dated: 06/08/2009.

Read :-

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ORDER :

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad in the reference read above, has stated that the Spl. Collector (LA), Srisailem Project, Kurnool had acquired the dry lands in Survey No. 1175, 1178, 1180 & 1181 for an extent of Ac.4.91 of Velgodu (V) by fixing the Market Value @ Rs. 6,500/- through Award No. 2/85 dt. 16/2/1985 for formation of Velgodu Balancing Reservoir under T.G.P. Aggrieved with the Market Value Awarded by the LAO, the awardees have filed applications U/s 18 of L.A. Act with a request to refer the matter to the Civil Court for adjudication. The Senior Civil Judge, Atmakur has pronounced judgements enhancing the market value from Rs. 6,500/- to Rs. 20,000/- per acre in OP Nos. 617/99 & 592/99. In this regard, Appeal was filed in the Hon'ble High Court of Andhra Pradesh, Hyderabad by the Spl.Dy.Collector, TGP, Nandyal. The Hon'ble High Court has dismissed appeals filed by the SDC, TGP, Nandyal by confirming Judgements of Lower Court. The Government Pleader for Appeals, High Court of Andhra Pradesh, Hyderabad in his lr. Dt. 13/9/07 has opined that there are no grounds to prefer SLP before the Hon'ble Supreme Court of India, New Delhi. In view of the above, the CCLA, Hyderabad / Special Collector, Srisailem Project, Kurnool has submitted the Decretal charges for an amount of Rs. 3,87,897/- (Rupees three lakhs eighty seven thousand eight hundred and ninety seven only) in respect of OP No's 617/99 and 592/99 in Award No. 2/85, dt. 16/2/1985 for formation of Velgodu Balancing Reservoir under T.G.P Velugodu (V) & (M), Kurnool Dist.

2. After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 3,87,897/- (Rupees three lakhs eighty seven thousand eight hundred and ninety seven only) in respect of OP No's 617/99 and 592/99 in Award No. 2/85, dt. 16/2/1985 for formation of Velgodu Balancing Reservoir under T.G.P Velugodu (V) & (M), Kurnool Dist., subject to verification whether the reference under Section 18(1) of the L.A. Act is made to the lower Court after following all the guidelines / directions on the subject and in case it is detected that Sec. 18 reference was made contrary to the rules / guidelines issued by the Government / Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government / Special Chief Secretary to

p.t.o.

Government and chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

3. The Special Collector (LA), Srisailam Project, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30/04/2007 in W.P. No. 2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of OP Nos.617/99 & 592/99 under TGP for avoiding intervention of the middlemen.

4. The expenditure sanctioned in para (2) above shall be debited to the following Head of Account : "4701 – Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 – TGP, GH (11) Normal State Plan. SH(27) C&D, 530 Major Works. 532 – Land (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5. This orders issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No.2805 /F4(1)/09-1, dt. 22/07/2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To
The Spl.Chief Secretary to Government &
Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.
The Spl.Collector, Srisailam Project, Kurnool
The ENC, I&CAD, Hyderabad.
The Spl. Dy. Collector (LA), TGP., Nandyal, Nandyal
The Director of Works Accounts, Hyderabad.
Copy to :
P.S. to Minister (M&MI).
Finance (W&P) Dept./ C.No. 12393/LA.II(1)2009.
SF/Scs.

// FORWARDED BY ORDER //

SECTION OFFICER